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State of Wisconsin  
2003 - 2004 LEGISLATURE

*DO NOT*

LRB-1711/4  
GMM:kmg:jf

*S*  
*DMR*

DOA:.....Binau – BB0414, Transfer HEAB authority to Board of Regents  
FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1 *Don't*  
*Sen.*  
AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**OTHER EDUCATIONAL AND CULTURAL AGENCIES**

Under current law, the Higher Educational Aids Board (HEAB) administers various student financial aid programs for state residents attending institutions of higher education, including Wisconsin higher education grants, talent incentive grants, tuition grants, handicapped student grants, Indian student assistance grants, minority undergraduate retention grants, teacher education loans, minority teacher loans, health education loans, nursing student loans, and academic excellence scholarships. HEAB also administers contracts with the Medical College of Wisconsin and the Marquette University Dental School under which a per capita amount is paid to those institutions for each state resident enrolled at those institutions and a tuition reciprocity agreement with the state of Minnesota. Current law requires HEAB to promulgate rules to administer certain financial aid programs. This bill, effective on July 1, 2004, eliminates HEAB and the executive secretary and deputy executive secretary positions in HEAB and transfers the duties of HEAB to the Board of Regents of the UW System. The bill also permits the Board of Regents of the UW System to establish policies, rather than promulgate rules, to administer the financial aid programs for which rules are required under current law.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 13.40 (3) (i) 1. of the statutes is repealed.

2           **SECTION 2.** 14.63 (11m) of the statutes is amended to read:

3           **14.63 (11m) FINANCIAL AID CALCULATIONS.** The value of tuition units shall not  
4 be included in the calculation of a beneficiary's eligibility for state financial aid for  
5 higher education if the beneficiary notifies the ~~higher educational aids~~ board and the  
6 institution of higher education that the beneficiary is planning to attend that he or  
7 she is a beneficiary of a contract under this section and the contract owner agrees to  
8 release to the ~~higher educational aids~~ board and the institution of higher education  
9 information necessary for the calculation under this subsection.

10          **SECTION 3.** 14.64 (8) of the statutes is amended to read:

11          **14.64 (8) FINANCIAL AID CALCULATIONS.** The balance of a college savings account  
12 shall not be included in the calculation of a beneficiary's eligibility for state financial  
13 aid for higher education if the beneficiary notifies the ~~higher educational aids board~~  
14 Board of Regents of the University of Wisconsin System and the eligible educational  
15 institution that the beneficiary is planning to attend that he or she is a beneficiary  
16 of a college savings account and if the account owner agrees to release to the ~~higher~~  
17 ~~educational aids board~~ Board of Regents of the University of Wisconsin System and  
18 the eligible educational institution information necessary for the calculation under  
19 this subsection.

20          **SECTION 4.** 15.07 (1) (a) 1. of the statutes is repealed.

21          **SECTION 5.** 15.67 of the statutes is repealed.

1 SECTION 6. 20.235 (intro.) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

2 SECTION 7. 20.235 (1) (title) of the statutes is renumbered 20.285 (7) (title) and ✓

3 amended to read: *as affected by 2003 Wisconsin Act 1111 (this act),*

4 20.285 (7) (title) ~~STUDENT SUPPORT ACTIVITIES~~ HIGHER EDUCATIONAL AIDS.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 SECTION 8. 20.235 (1) (b) of the statutes is renumbered 20.285 (7) (b).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 SECTION 9. 20.235 (1) (cg) of the statutes is renumbered 20.285 (7) (cg).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 SECTION 10. 20.235 (1) (cm) of the statutes is renumbered 20.285 (7) (cm).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 SECTION 11. 20.235 (1) (cr) of the statutes is renumbered 20.285 (7) (cr).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 SECTION 12. 20.235 (1) (cu) of the statutes is renumbered 20.285 (7) (cu).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10 SECTION 13. 20.235 (1) (cx) of the statutes is renumbered 20.285 (7) (cx).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 SECTION 14. 20.235 (1) (d) of the statutes is renumbered 20.285 (7) (d).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12 SECTION 15. 20.235 (1) (e) of the statutes is renumbered 20.285 (7) (e).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 SECTION 16. 20.235 (1) (fc) of the statutes is renumbered 20.285 (7) (fc).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats. ✓

*note: reconciliation: This is reconciled to 20.235 (1)(d). This section has been affected by drafts with the following LRB #'s: LRB-1676/1 and LRB-1711/4.*

1           **SECTION 17.** 20.235 (1) (fd) of the statutes is renumbered 20.285 (7) (fd).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2           **SECTION 18.** 20.235 (1) (fe) of the statutes, as affected by 2001 Wisconsin Act  
3 109, is renumbered 20.285 (7) (fe).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4           **SECTION 19.** 20.235 (1) (ff) of the statutes is renumbered 20.285 (7) (ff).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5           **SECTION 20.** 20.235 (1) (fg) of the statutes is renumbered 20.285 (7) (fg).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6           **SECTION 21.** 20.235 (1) (fj) of the statutes is renumbered 20.285 (7) (fj).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7           **SECTION 22.** 20.235 (1) (fy) of the statutes is renumbered 20.285 (7) (fy).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8           **SECTION 23.** 20.235 (1) (g) of the statutes is renumbered 20.285 (7) (g) and  
9 amended to read:

10           20.285 (7) (g) *Student loans.* The amounts in the schedule for additional loans  
11 under s. 39.32, for repurchase of loans assigned, sold, or conveyed, and for repayment  
12 of advances by the investment board. All moneys received from the principal repaid  
13 on student loans made under s. 49.42, 1963 stats., and s. 39.32 other than principal  
14 repaid on loans assigned, sold, or conveyed, and all moneys received as an advance  
15 from the investment board, under s. 25.17 (3) (bf), 1977 stats., shall be credited to this  
16 appropriation. Moneys credited to the ~~higher educational aids board~~ Board of  
17 Regents of the University of Wisconsin System as a result of investments shall be  
18 considered under this appropriation as repayments. The amount of advances to the

1 ~~higher educational aids board~~ Board of Regents of the University of Wisconsin  
 2 System charged against the authorization under s. 25.17 (3) (bf), 1977 stats., shall  
 3 be decreased by the amount of any repayments to the investment board under this  
 4 appropriation. Advances repaid to the investment board shall be reappropriated to  
 5 the ~~higher educational aids board~~ Board of Regents of the University of Wisconsin  
 6 System for the purpose of providing additional loans subject to s. 25.17 (3) (bf) 2.,  
 7 1977 stats. Principal repayments on loans assigned, sold, or conveyed shall be repaid  
 8 under this appropriation. The state auditor may annually audit the portfolio of  
 9 student loans and notes thereon in the possession of the ~~higher educational aids~~  
 10 ~~board~~ Board of Regents of the University of Wisconsin System and report his or her  
 11 determination of the current condition of the student notes receivable portfolio to the  
 12 investment board, the joint committee on finance, the ~~higher educational aids board~~  
 13 Board of Regents of the University of Wisconsin System, and the department of  
 14 administration.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15 **SECTION 24.** 20.235 (1) (gg) of the statutes is renumbered 20.285 (7) (gg).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16 **SECTION 25.** 20.235 (1) (gm) of the statutes is renumbered 20.285 (7) (gm).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

17 **SECTION 26.** 20.235 (1) (i) of the statutes is renumbered 20.285 (7) (i).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18 **SECTION 27.** 20.235 (1) (k) of the statutes is renumbered 20.285 (7) (k).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

19 **SECTION 28.** 20.235 (1) (km) of the statutes is renumbered 20.285 (7) (km).

✓  
Insert  
5-18  
19 →

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1       **SECTION 29.** 20.235 (1) (no) of the statutes is renumbered 20.285 (1) (no).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2       **SECTION 30.** 20.235 (1) (s) of the statutes is renumbered 20.285 (1) (s).

3       **SECTION 31.** 20.235 (1) (t) of the statutes is renumbered 20.285 (1) (t).

4       **SECTION 32.** 20.235 (2) (title) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5       **SECTION 33.** 20.235 (2) (aa) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6       **SECTION 34.** 20.235 (2) (bb) of the statutes is renumbered 20.285 (3) (bb) and  
7 amended to read:

8           20.285 (3) (bb) *Student loan interest, loans sold or conveyed.* A sum sufficient  
9 for interest on loans assigned, sold, or conveyed, if the amount under par. ~~(gb)~~ (ib) is  
10 insufficient to provide interest due on the payment date at the interest rate stated  
11 on the loan notes assigned, sold, or conveyed, interest to be computed on the unpaid  
12 principal balance of the loans, computed as of January 1 and July 1 of each year and  
13 payable within 90 days thereafter.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

14       **SECTION 35.** 20.235 (2) (bc) of the statutes is renumbered 20.285 (3) (bc).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15       **SECTION 36.** 20.235 (2) (bd) of the statutes is renumbered 20.285 (3) (bd) and  
16 amended to read:

17           20.285 (3) (bd) *Purchase of defective student loans.* A sum sufficient for the  
18 repurchase of student loans made under s. 39.32 that have been sold by the higher

1 ~~educational aids board~~ Board of Regents of the University of Wisconsin System or the  
2 building commission and subsequently found to be defective.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 37.** 20.235 (2) (ga) of the statutes is renumbered 20.285 (3) (i).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 38.** 20.235 (2) (gb) of the statutes is renumbered 20.285 (3) (ib).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 39.** 20.235 (2) (ia) of the statutes is renumbered 20.285 (3) (ic).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 40.** 20.235 (2) (ja) of the statutes is renumbered 20.285 (3) (id).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 41.** 20.235 (2) (n) of the statutes is renumbered 20.285 (3) (nn) and  
8 amended to read:

9 20.285 (3) (nn) *Federal aid; state operations.* All moneys received from the  
10 federal government as authorized by the governor under s. 16.54 to carry out the  
11 purpose for which made. ~~The executive secretary of the board~~ Board of Regents of  
12 the University of Wisconsin System may transfer not more than \$150,000 from this  
13 appropriation for purposes of carrying out the functions under s. 39.33.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

14 **SECTION 42.** 20.235 (2) (qa) of the statutes is renumbered 20.285 (3) (qa).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15 **SECTION 43.** 20.235 (2) (qb) of the statutes is renumbered 20.285 (3) (gb).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16 **SECTION 44.** 20.505 (8) (hm) 4i. of the statutes is amended to read:

16

Insert  
7-15

1           20.505 (8) (hm) 4i. The amount transferred to s. ~~20.235 (1)~~ 20.285 (7) (k) shall  
2 be the amount in the schedule under s. ~~20.235 (1)~~ 20.285 (7) (k).

3           **SECTION 45.** 20.505 (8) (hm) 10. of the statutes is amended to read:

4           20.505 (8) (hm) 10. The amount transferred to s. ~~20.235 (1)~~ 20.285 (7) (km) shall  
5 be the amount in the schedule under s. ~~20.235 (1)~~ 20.285 (7) (km).

6           **SECTION 46.** 20.923 (4) (c) 4. of the statutes is repealed.

7           **SECTION 47.** 36.11 (6) (c) of the statutes is amended to read:

8           36.11 (6) (c) ~~By April 10, 1998, and annually thereafter~~ Annually, by April 10,  
9 the board shall develop and submit to the higher educational aids board for its review  
10 under s. ~~39.285 (1)~~ a proposed formula for the awarding of grants under s. 39.435,  
11 except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year  
12 to students enrolled in the system.

13           **SECTION 48.** 36.31 (3) of the statutes is repealed.

14           **SECTION 49.** 38.04 (7m) of the statutes is amended to read:

15           38.04 (7m) FINANCIAL AIDS. ~~By April 10, 1998, and annually thereafter~~  
16 Annually, by April 10, the board shall develop and submit to the higher educational  
17 aids board Board of Regents of the University of Wisconsin System for its review  
18 under s. 39.285 (1) a proposed formula for the awarding of grants under s. 39.435,  
19 except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year  
20 to students enrolled in the technical colleges.

21           **SECTION 50.** 39.155 (1) of the statutes is amended to read:

22           39.155 (1) ~~Subject to sub (3),~~ <sup>(All)</sup> all funds appropriated to the Medical College of  
23 Wisconsin, Inc., under s. 20.250 (1) (a) shall be based on a per capita formula for an  
24 amount for each Wisconsin resident enrolled at the college who is paying full tuition.  
25 A student's qualification as a resident of this state shall be determined by the higher

*was affected by 2003 Wisconsin  
Act 111 (this act)*

*auto ref. "KB" - see p. 22*

*(All)*

*note: reconcile* NOTE: This is reconciled to 39.155 (1).  
This section has been affected by drafts with the following  
LRB #s: LRB-1263/1 and LRB-1711/4.

1 ~~educational aids board~~ Board of Regents of the University of Wisconsin System in  
2 accordance with s. 36.27, so far as applicable.

3 SECTION 51. Subchapter III (title) of chapter 39 [precedes 39.26] of the statutes  
4 is amended to read:

*Insert*  
*9-2*

5 **CHAPTER 39**

6 **SUBCHAPTER III**

7 **HIGHER EDUCATIONAL AIDS BOARD**

8 **SECTION 52.** 39.26 of the statutes is amended to read:

9 **39.26 Definition.** In this subchapter, "board" means the ~~higher educational~~  
10 ~~aids board~~ Board of Regents of the University of Wisconsin System.

11 **SECTION 53.** 39.28 (1) of the statutes is amended to read:

12 39.28 (1) The board shall administer the programs under this subchapter and  
13 may ~~promulgate such rules~~ establish such policies as are necessary to carry out its  
14 functions. The board may accept and use any funds ~~which it~~ that the board receives  
15 from participating institutions, lenders, or agencies. The board may enter into such  
16 contracts as are necessary to carry out its functions under this subchapter.

17 **SECTION 54.** 39.285 (1) of the statutes is amended to read:

18 39.285 (1) ~~By May 1, 1998, and annually thereafter~~ Annually, by May 1, the  
19 board shall approve, modify, or disapprove any proposed formula for the awarding  
20 of grants for the upcoming academic year submitted under sub. (2) or (3) or s. ~~36.11~~  
21 ~~(6)(e) or~~ 38.04 (7m).

22 **SECTION 55.** 39.29 of the statutes is repealed.

23 **SECTION 56.** 39.30 (3m) (b) of the statutes is amended to read:

24 39.30 (3m) (b) The board may not make initial awards of grants under this  
25 section for an academic year in an amount that exceeds 122% of the amount

1 appropriated under s. ~~20.235 (1)~~ 20.285 (7) (b) for the fiscal year in which the grant  
2 may be paid.

3 **SECTION 57.** 39.325 (3) of the statutes is amended to read:

4 39.325 (3) The board shall ~~promulgate rules and establish~~ enact policies  
5 establishing standards and methods of determining the amounts of loans, rates of  
6 interest, and other administrative procedures consistent with P.L. 94-484, on July  
7 29, 1979. The rates of interest shall be set as low as possible, but shall remain  
8 sufficient to cover all costs of the program under this section.

9 **SECTION 58.** 39.38 (2) of the statutes is amended to read:

10 39.38 (2) Grants under this section shall be based on financial need, as  
11 determined by the board. The maximum grant shall not exceed \$2,200 per year, of  
12 which not more than \$1,100 may be from the appropriation under s. ~~20.235 (1)~~ 20.285  
13 (7) (k). State aid from this appropriation may be matched by a contribution from a  
14 federally recognized American Indian tribe or band that is deposited in the general  
15 fund and credited to the appropriation account under s. ~~20.235 (1)~~ 20.285 (7) (gm).  
16 Grants shall be awarded to students for full-time or part-time attendance at any  
17 accredited institution of higher education in this state. The board may not make a  
18 grant under this section to a student whose name appears on the statewide support  
19 lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment  
20 agreement that has been approved by the county child support agency under s. 59.53  
21 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall  
22 be renewable for up to 5 years if a recipient remains in good academic standing at  
23 the institution that he or she is attending.

24 **SECTION 59.** 39.39 (2) (a) of the statutes is amended to read:

1           39.39 (2) (a) Make stipend loans from the appropriations under s. ~~20.235 (1)~~  
2           20.285 (7) (cg) and (gg).

3           **SECTION 60.** 39.39 (2) (b) of the statutes is amended to read:

4           39.39 (2) (b) ~~Promulgate rules~~ Establish policies to administer this section,  
5           including ~~rules~~ policies establishing loan amounts and the criteria and procedures  
6           for loan forgiveness and for selecting loan recipients. Loan recipients shall be  
7           selected on the basis of financial need, as determined by the board, using the needs  
8           analysis methodology used under s. 39.435.

9           **SECTION 61.** 39.393 (2) of the statutes is amended to read:

10           39.393 (2) ~~Beginning in the 2002–03 fiscal year, the~~ The board shall make loans  
11           under this section from the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cm). The  
12           maximum amount of loan for a person during any fiscal year is \$3,000. The  
13           maximum that a person may receive under this section is \$15,000. The board shall  
14           ensure that the terms of the loan do not require a loan recipient to repay the loan  
15           while the recipient is enrolled in a program under sub. (1).

16           **SECTION 62.** 39.393 (4) of the statutes is amended to read:

17           39.393 (4) The board shall ~~promulgate rules~~ establish policies to implement  
18           and administer this section.

19           **SECTION 63.** 39.395 (1) of the statutes is amended to read:

20           39.395 (1) The board shall establish a loan program to defray the cost of tuition  
21           for persons enrolled in a teacher education program offered by the Milwaukee  
22           Teacher Education Center, a nonstock, nonprofit corporation organized under ch.  
23           181. Loans shall be made from the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cu).

24           **SECTION 64.** 39.395 (2) (b) of the statutes is amended to read:

1           39.395 (2) (b) The board shall ~~promulgate rules~~ establish policies to administer  
2 this section.

3           **SECTION 65.** 39.398 (1) (a) of the statutes is amended to read:

4           39.398 (1) (a) The board shall establish a loan program to defray the cost of  
5 tuition, fees, and expenses for residents of this state enrolled in a program that  
6 prepares persons to be licensed as teachers of visually impaired pupils or as  
7 orientation and mobility instructors, as defined by the board ~~by rule~~, at an accredited  
8 institution of higher education in this state or in a physically adjacent state, as  
9 defined in s. 175.46 (1) (d). To the extent possible, the board shall give preference,  
10 to persons who are likely to return to this state to work with visually impaired  
11 persons.

12           **SECTION 66.** 39.398 (1) (b) of the statutes is amended to read:

13           39.398 (1) (b) The board shall make loans under this section from the  
14 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cx). The maximum amount of a loan for  
15 a person during any fiscal year is \$10,000. The maximum amount that a person may  
16 receive under this section is \$40,000. The terms of the loan shall provide that a loan  
17 recipient is not required to repay the loan while the loan recipient is enrolled in the  
18 preparatory program described in par. (a).

19           **SECTION 67.** 39.398 (2) (b) of the statutes is amended to read:

20           39.398 (2) (b) The board shall ~~promulgate rules~~ establish policies to administer  
21 this section.

22           **SECTION 68.** 39.40 (3) of the statutes is amended to read:

23           39.40 (3) Loans under sub. (2) shall be made from the appropriation under s.  
24 ~~20.235 (1)~~ 20.285 (7) (cr). The board shall forgive 25% of the loan and 25% of the

1 interest on the loan for each school year the recipient teaches in a school district  
2 described under sub. (2) (d).

3 **SECTION 69.** 39.41 (1) (ae) of the statutes is repealed.

4 **SECTION 70.** 39.41 (1m) (b) of the statutes is amended to read:

5 39.41 (1m) (b) By February 15 of each school year, the school board of each  
6 school district operating one or more high schools and the governing body of each  
7 private high school may, for each high school with an enrollment of less than 80  
8 pupils, nominate the senior with the highest grade point average in all subjects who  
9 may be designated as a scholar by the ~~executive secretary~~ board under par. (c) 3.

10 **SECTION 71.** 39.41 (1m) (c) (intro.) of the statutes is amended to read:

11 39.41 (1m) (c) (intro.) The ~~executive secretary~~ board shall:

12 **SECTION 72.** 39.41 (1m) (c) 5. of the statutes is amended to read:

13 39.41 (1m) (c) 5. For each public or private high school with an enrollment of  
14 less than 80 pupils, notify the school board of the school district operating the public  
15 high school or the governing body of the private high school that the school board or  
16 governing body may nominate a senior under par. (b) who may be designated as a  
17 scholar by the ~~executive secretary~~ board.

18 **SECTION 73.** 39.41 (1m) (cm) of the statutes is amended to read:

19 39.41 (1m) (cm) The ~~executive secretary~~ board may grant waivers under par.  
20 (m).

21 **SECTION 74.** 39.41 (1m) (e) of the statutes is amended to read:

22 39.41 (1m) (e) Except as provided under par. (em), if 2 or more seniors from the  
23 same high school of less than 80 pupils have the same grade point average and,  
24 except for the limitation of one nominated senior, are otherwise eligible for  
25 nomination under par. (b), the faculty of the high school shall select the senior who

1 may be nominated by the school board of the school district operating the public high  
2 school or the governing body of the private high school for designation under par. (b)  
3 as a scholar by the ~~executive secretary~~ board. If that senior is designated as a scholar  
4 by the ~~executive secretary~~ board and does not qualify for a higher education  
5 scholarship under sub. (2) (a) or (3) (a), faculty of the high school shall select one or  
6 more of the remaining seniors with the same grade point average for certification as  
7 a scholar and the school board of the school district operating the high school or the  
8 governing body of the private high school shall certify to the board one or more of  
9 these seniors as eligible for a higher education scholarship as a scholar under sub.  
10 (2) (a) or (3) (a) until the scholarship may be awarded by the board.

11 **SECTION 75.** 39.41 (1m) (em) of the statutes is amended to read:

12 39.41 (1m) (em) If the high school weights different courses differently to  
13 determine a pupil's grade point average, and the senior designated as a scholar by  
14 the ~~executive secretary~~ board under par. (e) does not qualify for a higher education  
15 scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one  
16 senior with the same grade point average for certification as a scholar, or, if there is  
17 no senior with the same grade point average, one senior with the next highest grade  
18 point average for certification as a scholar, and the school board of the school district  
19 operating the high school or the governing body of the private high school shall  
20 certify to the board the selected senior as eligible for a higher education scholarship  
21 as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the  
22 board.

23 **SECTION 76.** 39.41 (1m) (f) of the statutes is amended to read:

24 39.41 (1m) (f) If 2 or more seniors from the school operated by the Wisconsin  
25 Center for the Blind and Visually Impaired have the same grade point average and,

1 except for the limitation of one designated senior, are otherwise eligible for  
2 designation under par. (c) 1., the ~~executive secretary~~ board shall make the  
3 designation under par. (c) 1. of the senior who may be eligible for a higher education  
4 scholarship as a scholar and, if that senior does not qualify for a higher education  
5 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining  
6 seniors with the same grade point average as eligible for a higher education  
7 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be  
8 awarded by the board.

9 **SECTION 77.** 39.41 (1m) (fm) of the statutes is amended to read:

10 39.41 (1m) (fm) If 2 or more seniors from the school operated by the Wisconsin  
11 Educational Services Program for the Deaf and Hard of Hearing have the same grade  
12 point average and, except for the limitation of one designated senior, are otherwise  
13 eligible for designation under par. (c) 2., the ~~executive secretary~~ board shall make the  
14 designation under par. (c) 2. of the senior who may be eligible for a higher education  
15 scholarship as a scholar and, if that senior does not qualify for a higher education  
16 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining  
17 seniors with the same grade point average as eligible for a higher education  
18 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be  
19 awarded by the board.

20 **SECTION 78.** 39.41 (1m) (m) of the statutes is amended to read:

21 39.41 (1m) (m) Notwithstanding pars. (a), (b) and (d), if a high school ranks its  
22 seniors on the basis of grades in academic subjects, the school board of the school  
23 district operating the high school or the governing body of the private high school or,  
24 for purposes of par. (d), the faculty of the high school may request a waiver from the



1           **SECTION 83.** 39.435 (7) (a) 1. of the statutes is amended to read:

2           39.435 (7) (a) 1. For purposes of determining the appropriation under s. ~~20.235~~  
3           ~~(1) 20.285 (7)~~ (fe) for fiscal year 2003–04, “base amount” means the amount shown  
4           in the schedule under s. 20.005 for ~~that~~ the appropriation under s. 20.235 (1) (fe),  
5           2001 stats., for fiscal year 2002–03.

6           **SECTION 84.** 39.435 (7) (a) 2. of the statutes is amended to read:

7           39.435 (7) (a) 2. For purposes of determining the appropriation under s. ~~20.235~~  
8           ~~(1) 20.285 (7)~~ (fe) for each fiscal year after fiscal year 2003–04, “base amount” means  
9           the maximum appropriation amount determined under par. (b) for the previous fiscal  
10          year.

11          **SECTION 85.** 39.435 (7) (b) (intro.) of the statutes is amended to read:

12          39.435 (7) (b) (intro.) Annually, by February 1, the board shall determine the  
13          appropriation under s. ~~20.235 (1) 20.285 (7)~~ (fe) for the next fiscal year as follows:  
14          Insert  
15          17-13

14          **SECTION 86.** 39.44 (2) of the statutes is amended to read:

15          39.44 (2) Funds for the grants under this section shall be distributed from the  
16          appropriation under s. ~~20.235 (1) 20.285 (7)~~ (fg), with 50% distributed to the eligible  
17          private institutions and 50% distributed to the eligible technical colleges. The board  
18          shall audit the enrollment statistics annually.

19          **SECTION 87.** 39.45 (6) of the statutes is amended to read:

20          39.45 (6) From the appropriation under s. ~~20.235 (1) 20.285 (7)~~ (fc), the board  
21          shall use available funds to make grant awards under this section, but no award may  
22          be made before March 1 for the fall semester or session of the upcoming academic  
23          year.

24          **SECTION 88.** 39.45 (7) of the statutes is amended to read:

1           39.45 (7) The board shall ~~promulgate rules~~ establish policies to administer this  
2 section, including policies establishing criteria and procedures for repayment of  
3 grants awarded under this section, including interest, by certain grant recipients  
4 who no longer reside in this state or do not successfully complete requirements for  
5 a degree. The board shall deposit in the general fund as general purpose  
6 revenue ~~earned all repayments of grants awarded under this section and the~~  
7 interest on the grants.

8           **SECTION 89.** 39.46 (2) (f) of the statutes is amended to read:

9           39.46 (2) (f) That the dental school may not assess tuition for a Wisconsin  
10 resident enrolled at the school in an amount that exceeds the difference between the  
11 tuition assessed a nonresident student enrolled at the school and the amount  
12 specified to be disbursed ~~under s. 20.235 (1) 20.285 (7) (d)~~ for each Wisconsin resident  
13 enrolled at the school.

14           **SECTION 90.** 227.01 (13) (zv) of the statutes is created to read:

15           227.01 (13) (zv) Establishes policies under subch. III of ch. 39.

16           **SECTION 91.** 230.08 (2) (L) 4. of the statutes is repealed.

17           **SECTION 9101. Nonstatutory provisions; administration.**

18           (1) HIGHER EDUCATIONAL AIDS. The authorized FTE positions for the department  
19 of administration, funded from the appropriation under section 20.505 (1) (a) of the  
20 statutes, are increased by 2.0 GPR positions on the effective date of this subsection  
21 for the purpose of assisting the Board of Regents of the University of Wisconsin  
22 System in administering higher educational aids under subchapter III of chapter 39  
23 of the statutes, as affected by this act.

24           **SECTION 9125. Nonstatutory provisions; higher educational aids board.**

25           (1) TRANSFER OF DUTIES TO BOARD OF REGENTS.

1           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
2 liabilities of the higher educational aids board shall become the assets and liabilities  
3 of the Board of Regents of the University of Wisconsin System.

4           (b) *Positions and employees.*

5           1. The authorized FTE positions for the higher educational aids board, funded  
6 from the appropriation under section 20.235 (2) (aa), 2001 stats., are decreased by  
7 2.0 GPR positions on the effective date of this subdivision for the purpose of  
8 eliminating that board.

9           2. The authorized FTE positions for the higher educational aids board, funded  
10 from the appropriation under section 20.235 (2) (aa), 2001 stats., are decreased by  
11 1.36 GPR positions on the effective date of this subdivision for the purpose of  
12 eliminating that board.

13           3. The authorized FTE positions for the higher educational aids board, funded  
14 from the appropriation under section 20.235 (2) (qb), 2001 stats., are decreased by  
15 0.64 SEG position on the effective date of this subdivision for the purpose of  
16 eliminating that board.

17           4. On the effective date of this subdivision, all incumbent employees holding  
18 the positions specified in subdivision 1. are transferred to the department of  
19 administration.

20           5. On the effective date of this subdivision, all incumbent employees holding  
21 the positions specified in subdivisions 2. and 3. are transferred to the Board of  
22 Regents of the University of Wisconsin System.

23           (c) *Employee status.* Employees transferred under paragraph (b) 4. and 5. have  
24 all the rights and the same status under subchapter V of chapter 111 and chapter 230  
25 of the statutes in the department of administration and the Board of Regents of the

1 University of Wisconsin System that they enjoyed in the higher educational aids  
2 board immediately before the transfer. Notwithstanding section 230.28 (4) of the  
3 statutes, no transferred employee who has attained permanent status in class is  
4 required to serve a probationary period.

5 (d) *Tangible personal property.* On the effective date of this paragraph, all  
6 tangible personal property, including records, of the higher educational aids board  
7 is transferred to the Board of Regents of the University of Wisconsin System.

8 (e) *Contracts.* All contracts entered into by the higher educational aids board  
9 in effect on the effective date of this paragraph remain in effect and are transferred  
10 to the Board of Regents of the University of Wisconsin System. The Board of Regents  
11 of the University of Wisconsin System shall carry out any such contractual  
12 obligations until modified or rescinded by that board to the extent allowed under the  
13 contract.

14 (f) *Rules and orders.* All rules promulgated by the higher educational aids  
15 board that are in effect on the effective date of this paragraph remain in effect until  
16 their specified expiration date or until amended or repealed by the Board of Regents  
17 of the University of Wisconsin System. All orders issued by the higher educational  
18 aids board that are in effect on the effective date of this paragraph remain in effect  
19 until their specified expiration date or until modified or rescinded by the Board of  
20 Regents of the University of Wisconsin System.

21 (g) *Pending matters.* Any matter pending with the higher educational aids  
22 board on the effective date of this paragraph is transferred to the Board of Regents  
23 of the University of Wisconsin System and all materials submitted to or actions taken  
24 by the higher educational aids board with respect to the pending matter are

1 considered as having been submitted to or taken by the Board of Regents of the  
2 University of Wisconsin System.

3 **SECTION 9157. Nonstatutory provisions; University of Wisconsin**  
4 **System.**

5 (1) HIGHER EDUCATIONAL AIDS.

6 (a) The authorized FTE positions for the Board of Regents of the University of  
7 Wisconsin System, funded from the appropriation under section 20.285 (3) (a) of the  
8 statutes, are increased by 1.36 GPR positions on the effective date of this paragraph  
9 for the purpose of administering higher educational aids under subchapter III of  
10 chapter 39 of the statutes, as affected by this act.

11 (b) The authorized FTE positions for the Board of Regents of the University of  
12 Wisconsin System, funded from the appropriation under the section 20.285 (3) (qb)  
13 of the statutes, as affected by this act, are increased by 0.64 SEG position on the  
14 effective date of this paragraph for the purpose of administering higher educational  
15 aids under subchapter III of chapter 39 of the statutes, as affected by this act.

16 **SECTION 9225. Appropriation changes; higher educational aids board.**

17 (1) TRANSFER OF DUTIES TO BOARD OF REGENTS. On the effective date of this  
18 subsection, the unencumbered balance in the appropriation account under section  
19 20.235 (2) (aa), 2001 stats., is transferred to the appropriation account under section  
20 20.285 (3) (a) of the statutes.

21 **SECTION 9425. Effective dates; higher educational aids board.**

22 (1) TRANSFER OF DUTIES TO BOARD OF REGENTS. The treatment of sections 13.40  
23 (3) (i) 1., 14.63 (11m), 14.64 (8), 15.07 (1) (a) 1., 15.67, 20.235 (intro.), (1) (title), (b),  
24 (cg), (cm), (cr), (cu), (cx), (d), (e), (fc), (fd), (fe), (ff), (fg), (fj), (fy), (g), (gg), (gm), (i), (k),  
25 (km), (no), (s), and (t), and (2) (title), (aa), (bb), (bc), (bd), (ga), (gb), (ia), (ja), (n), (qa),

auto ref. "KA"

-22-

AutRef

(c) and (2) (by SECTION)

LRB-1711/4  
GMM:kmg:jf

auto ref

20.235 (1)(h) (by SECTION \*)

SECTION 9425

(by SECTION \* (auto ref))

(by SECTION \* (auto ref))

- 1 and (qb), 20.505 (8) (hm) 4i. and 10., 20.923 (4) (c) 4., 36.11 (6) (c), 36.31 (3), 38.04
- 2 (7m), 39.155 (1), 39.26, 39.28 (1), 39.285 (1), 39.29, 39.30 (3m) (b), 39.325 (3), 39.38
- 3 (2), 39.39 (2) (a) and (b), 39.393 (2) and (4), 39.395 (1) and (2) (b), 39.398 (1) (a) and
- 4 (b) and (2) (b), 39.40 (3), 39.41 (1) (ae), (1m) (b), (c) (intro.) and 5., (cm), (e), (em), (f),
- 5 (fm), and (m), (4) (b), and (8), 39.435 (2), (3) and (7) (a) 1. and 2. and (b) (intro.), 39.44
- 6 (2), 39.45 (6) and (7), ~~39.46 (2) (f)~~ 227.01 (13) (zv), and 230.08 (2) (L) 4. and
- 7 subchapter III (title) of chapter 39 of the statutes and SECTIONS 9101 (1), 9125 (1),
- 8 9157 (1), and 9225 (1) of this act take effect on July 1, 2004, or on the day after
- 9 publication, whichever is later.

(END)

(d) and

auto ref. "KC"

the renumbering of section 20.235 (1)(h) of the statutes, the amendment of section 39.435 (2) of the statutes,

DMOTR

R. J. R.J. and Steve

This draft reconciles LRB-1711/4, LRB-1263/1, LRB-1676/1, and LRB-1735/5. LRB-1711, LRB-1263, LRB-1676, and LRB-1735 should all continue to appear in the compiled bill.

GMM

Insert S-18 ✓

of the statutes

created

SEC RM; 20.235 (1) (ke), ~~as~~ affected

by 2003 Wisconsin Act 111 (this act), 20.285

(1) (ke).

is renumbered

→ \*\*\* NOTE: but

→ \*\*\* NOTE: This is reconciled to 20.235 (1) (ke) ✓

This section has been affected by drafts with the

following LRBs: LRB-1735/5 and LRB-1711/4.

(end of insert)

Enset 7-15 ✓

SECTION 1. 20.235 (1) (ke) of the statutes is created to read:

~~20.235 (1) (ke) Wisconsin higher education grants for University of Wisconsin System students; auxiliary enterprises. The amounts in the schedule for the Wisconsin higher education grant program under s. 39.435 for University of Wisconsin System students, except for grants awarded under s. 39.435 (2) or (5). All moneys transferred to this appropriation from the appropriation under s. 20.285 (1) (h) shall be credited to this appropriation account.~~

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

*as affected by 2003 Wisconsin Act ... (this act),*

SECTION 2. 20.285 (1) (h) of the statutes is amended to read:

20.285 (1) (h) Auxiliary enterprises. Except as provided under subs. (4) (g) *plain* and (5) (i) *plain* and (6) (g), all moneys received by the University of Wisconsin System for or on account of any housing facility, commons, dining halls, cafeteria, student union, athletic activities, stationery stand or bookstore, parking facilities or car fleet, or such other auxiliary enterprise activities as the board designates and including such fee revenues as allocated by the board and including such moneys received under leases entered into previously with nonprofit building corporations as the board designates to be receipts under this paragraph, to be used for the operation, maintenance, and capital expenditures of activities specified in this paragraph, including the transfer of funds to pars. (kd) *plain* and (ke), and ~~s. 20.235 (1) (ke)~~ *strike* and to nonprofit building corporations to be used by the corporations for the retirement of existing indebtedness and such other payments as may be required under existing loan agreements, and for optional rental payments in addition to the mandatory rental payments under the leases and subleases in connection with the providing of facilities for such activities, and for grants under ss. 36.25 (14) and 36.34. A separate *plain*

*see p. 22 of draft. auto ref "KA"*

*Sub. (7) ✓*

Law 7-15

Sub. (7) (use twice)

1 account shall be maintained for each campus and extension. Upon the request of the  
2 extension or any campus within the system, the board of regents may transfer  
3 surplus moneys appropriated under this paragraph to the appropriation account  
4 under par. (kp). Annually, the amount in the schedule under s. 20.005 (3) for the

5 appropriation under s. 20.285 (1) (ke) shall be transferred from this appropriation  
6 to the appropriation account under s. 20.285 (1) (ke).

7 ~~SECTION 3. 20.285 (4) (g) of the statutes is created to read:~~

8 ~~20.285 (4) (g) *Lawton minority undergraduate grant program; auxiliary*~~  
9 ~~*enterprises.* From moneys received from the auxiliary enterprises described under~~  
10 ~~s. 20.285 (1) (h), the amounts in the schedule for the Lawton minority undergraduate~~  
11 ~~grant program under s. 36.34 (1).~~

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12 ~~SECTION 4. 20.285 (4) (gm) of the statutes is created to read:~~

13 ~~20.285 (4) (gm) *Minority and disadvantaged graduate student grant program;*~~  
14 ~~*auxiliary enterprises.* From moneys received from the auxiliary enterprises~~  
15 ~~described under s. 20.285 (1) (h), the amounts in the schedule for the minority and~~  
16 ~~disadvantaged graduate student grant program under s. 36.25 (14).~~

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

17 ~~SECTION 5. 36.25 (14) of the statutes is amended to read:~~

18 ~~36.25 (14) GRADUATE STUDENT FINANCIAL AID. The board shall establish a grant~~  
19 ~~program for minority and disadvantaged graduate students enrolled in the system.~~  
20 ~~The grants shall be awarded from the appropriation appropriations under s. 20.285~~  
21 ~~(4) (b) and (gm). The board shall give preference in awarding grants under this~~  
22 ~~subsection to residents of this state. The board may not make a grant under this~~

note: reconcile ~~\*\*\*NOTE: This is reconciled s. 20.285 (1) (h).~~  
This section has been affected by drafts with the following  
LRB #s: LRB-1735/5 and LRB-1711/4, (enacted)

(plain)

plain

Insert 9-2 ✓

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 20.250 (1) (a) of the statutes is amended to read:

20.250 (1) (a) *General program operations.* The amounts in the schedule for medical education, teaching, and research as provided under s. 39.155. ~~From this appropriation, an amount of \$10,091 in the 1989-90 fiscal year and annually thereafter shall be disbursed under s. 39.155 for each Wisconsin resident enrolled as a student in pursuit of a doctor of medicine (M.D.) degree who is paying full tuition. The number of Wisconsin residents enrolled at the college in each academic year to be funded under this appropriation shall be determined by multiplying the total number of students enrolled at the college by 0.56, but may not exceed 416.~~

SECTION 2. 39.155 (1) of the statutes is amended to read:

39.155 (1) ~~Subject to sub. (3), all All funds appropriated to the Medical College of Wisconsin, Inc., under s. 20.250 (1) (a) shall be based on a per capita formula for an amount for each Wisconsin resident enrolled at the college who is paying full tuition. A student's qualification as a resident of this state shall be determined by the higher educational aids board in accordance with s. 36.27, so far as applicable.~~

SECTION 3. 39.155 (2) of the statutes is amended to read:

39.155 (2) On or before January 15 and September 15 of each year, the Medical College of Wisconsin, Inc., shall submit to the ~~higher educational aids board~~ for its approval a list of the Wisconsin residents enrolled at the college who are paying full tuition. The state shall make semiannual payments to the Medical College of Wisconsin, Inc., from the appropriation under s. 20.250 (1) (a), upon approval of the

Board of Regents of the University of Wisconsin System

See p. 22 of draft  
auto ref. KC

is affected by 2003 Wisconsin Act 111 (this act)

Let 9-2

1 list. ~~If the appropriation under s. 20.250 (1) (a) is insufficient to pay the amount~~  
2 ~~specified to be disbursed under s. 20.250 (1) (a), the payments shall be disbursed on~~  
3 ~~a prorated basis for each student entitled to such aid.~~ No more than 8 such payments  
4 may be made to the Medical College of Wisconsin, Inc., from the appropriation under  
5 s. 20.250 (1) (a), for any individual student.

6 SECTION 4. 39.155 (3) of the statutes is repealed.

7 (END)

*note: reconcile*  
*base: This is reconciled s. 39.155 (2). This*  
*section has been affected by drafts with the*  
*following LRB #'s: LRB 1263/1 and LRB 1711/4.*

*(Draft mt)*

Insert 17-13 ✓

subsection to a person whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 6. 36.34 (1) (b) of the statutes is amended to read:

36.34 (1) (b) The board shall establish a grant program for minority undergraduates enrolled in the system. The board shall designate all grants under this subsection as Lawton grants. Grants shall be awarded from the appropriation appropriations under s. 20.285 (4) (dd) and (g). The board may not make a grant under this subsection to a person whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 7. 39.435 (3) of the statutes is amended to read:

39.435 (3) Grants under sub. (1) shall not be less than \$250 during any one academic year, unless the joint committee on finance approves an adjustment in the amount of the minimum grant. Grants under sub. (1) shall not exceed \$1,800 during any one academic year. The board shall, by rule, establish a reporting system to periodically provide student economic data and shall promulgate other rules the board deems necessary to assure uniform administration of the program.

SECTION 8. 39.435 (8) of the statutes is created to read:

39.435 (8) The board shall award grants under this section to University of Wisconsin System students from the appropriations under s. 20.285 (1) (fe) and (ke).

was created by 2003 Wisconsin Act 1111 (this act), is amended

Fix comma

note: reconcile

This is recommended by s. 39.435 (8). This section has been affected by drafts with the following LRB #s: LRB-1735/5 and LRB-1711/21. (led & met)

20.285 (7)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1711/5dn  
GMM:kmg:pg

February 6, 2003

R.J. and Steve:

This draft reconciles LRB-1711/4, LRB-1263/1, LRB-1676/1, and LRB-1735/5. LRB-1711, LRB-1263, LRB-1676, and LRB-1735 should continue to appear in the compiled bill.

Gordon M. Malaise  
Senior Legislative Attorney  
Phone: (608) 266-9738  
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**Malaise, Gordon**

---

**From:** Dykman, Peter  
**Sent:** Saturday, February 08, 2003 12:54 PM  
**To:** Malaise, Gordon  
**Cc:** Champagne, Rick; Kreye, Joseph; Marchant, Robert

This seg appropriation is being renumbered into a PR appropriation without the text being amended.

\*-1711/5.44\* Section 345. 20.235 (2) (qb) of the statutes is renumbered 20.285 (3) (gb).

\*\*\*\*Note: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

Typo - Should be (3) (gb)

Change on Master

Redraft



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1711/6  
GMM:kmg:pg

6  
EWJ  
DMR

DNOR  
(p 8, 14)

DOA:.....Binau – BB0414, Transfer HEAB authority to Board of Regents

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

DO NOT GEN

1

AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**OTHER EDUCATIONAL AND CULTURAL AGENCIES**

Under current law, the Higher Educational Aids Board (HEAB) administers various student financial aid programs for state residents attending institutions of higher education, including Wisconsin higher education grants, talent incentive grants, tuition grants, handicapped student grants, Indian student assistance grants, minority undergraduate retention grants, teacher education loans, minority teacher loans, health education loans, nursing student loans, and academic excellence scholarships. HEAB also administers contracts with the Medical College of Wisconsin and the Marquette University Dental School under which a per capita amount is paid to those institutions for each state resident enrolled at those institutions and a tuition reciprocity agreement with the state of Minnesota. Current law requires HEAB to promulgate rules to administer certain financial aid programs. This bill, effective on July 1, 2004, eliminates HEAB and the executive secretary and deputy executive secretary positions in HEAB and transfers the duties of HEAB to the Board of Regents of the UW System. The bill also permits the Board of Regents of the UW System to establish policies, rather than promulgate rules, to administer the financial aid programs for which rules are required under current law.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 13.40 (3) (i) 1. of the statutes is repealed.

2           **SECTION 2.** 14.63 (11m) of the statutes is amended to read:

3           **14.63 (11m) FINANCIAL AID CALCULATIONS.** The value of tuition units shall not  
4 be included in the calculation of a beneficiary's eligibility for state financial aid for  
5 higher education if the beneficiary notifies the ~~higher educational aids~~ board and the  
6 institution of higher education that the beneficiary is planning to attend that he or  
7 she is a beneficiary of a contract under this section and the contract owner agrees to  
8 release to the ~~higher educational aids~~ board and the institution of higher education  
9 information necessary for the calculation under this subsection.

10          **SECTION 3.** 14.64 (8) of the statutes is amended to read:

11          **14.64 (8) FINANCIAL AID CALCULATIONS.** The balance of a college savings account  
12 shall not be included in the calculation of a beneficiary's eligibility for state financial  
13 aid for higher education if the beneficiary notifies the ~~higher educational aids board~~  
14 Board of Regents of the University of Wisconsin System and the eligible educational  
15 institution that the beneficiary is planning to attend that he or she is a beneficiary  
16 of a college savings account and if the account owner agrees to release to the ~~higher~~  
17 ~~educational aids board~~ Board of Regents of the University of Wisconsin System and  
18 the eligible educational institution information necessary for the calculation under  
19 this subsection.

20          **SECTION 4.** 15.07 (1) (a) 1. of the statutes is repealed.

21          **SECTION 5.** 15.67 of the statutes is repealed.

1 the University of Wisconsin System may transfer not more than \$150,000 from this  
2 appropriation for purposes of carrying out the functions under s. 39.33.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 43.** 20.235 (2) (qa) of the statutes is renumbered 20.285 (3) (qa).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 44.** 20.235 (2) (qb) of the statutes is renumbered 20.285 (3) (gb). 

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 45.** 20.285 (1) (h) of the statutes, as affected by 2003 Wisconsin Act  
6 .... (this act), is amended to read:

7 20.285 (1) (h) *Auxiliary enterprises.* Except as provided under subs. (4) (g) and  
8 (gm), (5) (i), and (6) (g), all moneys received by the University of Wisconsin System  
9 for or on account of any housing facility, commons, dining halls, cafeteria, student  
10 union, athletic activities, stationery stand or bookstore, parking facilities or car fleet,  
11 or such other auxiliary enterprise activities as the board designates and including  
12 such fee revenues as allocated by the board and including such moneys received  
13 under leases entered into previously with nonprofit building corporations as the  
14 board designates to be receipts under this paragraph, to be used for the operation,  
15 maintenance, and capital expenditures of activities specified in this paragraph,  
16 including the transfer of funds to pars. (kd), (ke), and ~~s. 20.235 (1) sub. (7)~~ (ke), and  
17 to nonprofit building corporations to be used by the corporations for the retirement  
18 of existing indebtedness and such other payments as may be required under existing  
19 loan agreements, and for optional rental payments in addition to the mandatory  
20 rental payments under the leases and subleases in connection with the providing of  
21 facilities for such activities, and for grants under ss. 36.25 (14) and 36.34. A separate

1 39.26, 39.28 (1), 39.285 (1), 39.29, 39.30 (3m) (b), 39.325 (3), 39.38 (2), 39.39 (2) (a)  
 2 and (b), 39.393 (2) and (4), 39.395 (1) and (2) (b), 39.398 (1) (a) and (b) and (2) (b), 39.40  
 3 (3), 39.41 (1) (ae), (1m) (b), (c) (intro.) and 5., (cm), (e), (em), (f), (fm), and (m), (4) (b),  
 4 and (8), 39.435 (2), (3) (by SECTION (85)), (7) (a) 1. and 2. and (b) (intro.), 39.44 (2),  
 5 39.45 (6) and (7), 227.01 (13) (zv), and 230.08 (2) (L) 4. and subchapter III (title) of  
 6 chapter 39 of the statutes, the renumbering of section 20.235 (1) (d) and (ke) of the  
 7 statutes, the amendment of section 39.435 (8) of the statutes, and SECTIONS 9101 (1),  
 8 9125 (1), 9157 (1), and 9225 (1) of this act take effect on July 1, 2004, or on the day  
 9 after publication, whichever is later.

10 (END)

DNJF

RS

This redraft fixes a typo at page 8, line 4

Section 20.235 (2) (g) should be renumbered  
 20.235 (3) (a) (b), not (a) (b)

GMM

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1711/6dn  
GMM:wlj:rs

February 10, 2003

R. S.

This redraft fixes a typo at page 8, line 4. Section 20.235 (2) (qb) should be renumbered 20.285 (3) (qb), not (gb).

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State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1711/6  
GMM:kmg/wlj:rs

NOTE

(p. 6)

7  
RMR

DOA:.....Binau – BB0414, Transfer HEAB authority to Board of Regents  
FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1

*Don't know.*  
AN ACT relating to: the budget.

---

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**OTHER EDUCATIONAL AND CULTURAL AGENCIES**

Under current law, the Higher Educational Aids Board (HEAB) administers various student financial aid programs for state residents attending institutions of higher education, including Wisconsin higher education grants, talent incentive grants, tuition grants, handicapped student grants, Indian student assistance grants, minority undergraduate retention grants, teacher education loans, minority teacher loans, health education loans, nursing student loans, and academic excellence scholarships. HEAB also administers contracts with the Medical College of Wisconsin and the Marquette University Dental School under which a per capita amount is paid to those institutions for each state resident enrolled at those institutions and a tuition reciprocity agreement with the state of Minnesota. Current law requires HEAB to promulgate rules to administer certain financial aid programs. This bill, effective on July 1, 2004, eliminates HEAB and the executive secretary and deputy executive secretary positions in HEAB and transfers the duties of HEAB to the Board of Regents of the UW System. The bill also permits the Board of Regents of the UW System to establish policies, rather than promulgate rules, to administer the financial aid programs for which rules are required under current law.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 13.40 (3) (i) 1. of the statutes is repealed.

2           **SECTION 2.** 14.63 (11m) of the statutes is amended to read:

3           **14.63 (11m) FINANCIAL AID CALCULATIONS.** The value of tuition units shall not  
4 be included in the calculation of a beneficiary's eligibility for state financial aid for  
5 higher education if the beneficiary notifies the ~~higher educational aids board~~ and the  
6 institution of higher education that the beneficiary is planning to attend that he or  
7 she is a beneficiary of a contract under this section and the contract owner agrees to  
8 release to the ~~higher educational aids board~~ and the institution of higher education  
9 information necessary for the calculation under this subsection.

10          **SECTION 3.** 14.64 (8) of the statutes is amended to read:

11          **14.64 (8) FINANCIAL AID CALCULATIONS.** The balance of a college savings account  
12 shall not be included in the calculation of a beneficiary's eligibility for state financial  
13 aid for higher education if the beneficiary notifies the ~~higher educational aids board~~  
14 Board of Regents of the University of Wisconsin System and the eligible educational  
15 institution that the beneficiary is planning to attend that he or she is a beneficiary  
16 of a college savings account and if the account owner agrees to release to the ~~higher~~  
17 ~~educational aids board~~ Board of Regents of the University of Wisconsin System and  
18 the eligible educational institution information necessary for the calculation under  
19 this subsection.

20          **SECTION 4.** 15.07 (1) (a) 1. of the statutes is repealed.

21          **SECTION 5.** 15.67 of the statutes is repealed.

1           **SECTION 27.** 20.235 (1) (k) of the statutes is renumbered 20.285 (7) (k).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2           **SECTION 28.** 20.235 (1) (ke) of the statutes, as created by 2003 Wisconsin Act  
3 .... (this act), is renumbered 20.285 (7) (ke).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

      \*\*\*\*NOTE: This is reconciled s. 20.235 (1) (ke). This SECTION has been affected by drafts with the following LRB numbers: LRB-1735/5 and LRB-1711/4.

4           **SECTION 29.** 20.235 (1) (km) of the statutes is renumbered 20.285 (7) (km).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats. (7)

5           **SECTION 30.** 20.235 (1) (no) of the statutes is renumbered 20.285 ~~(no)~~ (no). (7)

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats. (7)

6           **SECTION 31.** 20.235 (1) (s) of the statutes is renumbered 20.285 ~~(s)~~ (s). (7)

7           **SECTION 32.** 20.235 (1) (t) of the statutes is renumbered 20.285 ~~(t)~~ (t). (7)

8           **SECTION 33.** 20.235 (2) (title) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9           **SECTION 34.** 20.235 (2) (aa) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10          **SECTION 35.** 20.235 (2) (bb) of the statutes is renumbered 20.285 (3) (bb) and  
11 amended to read:

12           20.285 (3) (bb) *Student loan interest, loans sold or conveyed.* A sum sufficient  
13 for interest on loans assigned, sold, or conveyed, if the amount under par. ~~(gb)~~ (ib) is  
14 insufficient to provide interest due on the payment date at the interest rate stated  
15 on the loan notes assigned, sold, or conveyed, interest to be computed on the unpaid  
16 principal balance of the loans, computed as of January 1 and July 1 of each year and  
17 payable within 90 days thereafter.

1 39.26, 39.28 (1), 39.285 (1), 39.29, 39.30 (3m) (b), 39.325 (3), 39.38 (2), 39.39 (2) (a)  
 2 and (b), 39.393 (2) and (4), 39.395 (1) and (2) (b), 39.398 (1) (a) and (b) and (2) (b), 39.40  
 3 (3), 39.41 (1) (ae), (1m) (b), (c) (intro.) and 5., (cm), (e), (em), (f), (fm), and (m), (4) (b),  
 4 and (8), 39.435 (2), (3) (by SECTION (85)), (7) (a) 1. and 2. and (b) (intro.), 39.44 (2),  
 5 39.45 (6) and (7), 227.01 (13) (zv), and 230.08 (2) (L) 4. and subchapter III (title) of  
 6 chapter 39 of the statutes, the renumbering of section 20.235 (1) (d) and (ke) of the  
 7 statutes, the amendment of section 39.435 (8) of the statutes, and SECTIONS 9101 (1),  
 8 9125 (1), 9157 (1), and 9225 (1) of this act take effect on July 1, 2004, or on the day  
 9 after publication, whichever is later.

10

(END)

NOTE

R.S.

This redraft renumbers 20.235<sup>5</sup> (1) (no), (s), and (t)  
 as 20.285<sup>5</sup> (7) (no), (s), and (t), rather than as  
 20.285<sup>5</sup> (11) (no), (s), and (t).

GMM

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1711/7dn  
GMM:wlj:jf

February 11, 2003

R. J.

This redraft rennumbers 20.235 (1) (no), (s), and (t) as s. 20.285 (7) (no), (s), and (t), rather than as s. 20.285 (1) (no), (s), and (t).

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State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1711/7  
GMM:kmg/wlj:jf

DOA:.....Binau – BB0414, Transfer HEAB authority to Board of Regents  
FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

---

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**OTHER EDUCATIONAL AND CULTURAL AGENCIES**

Under current law, the Higher Educational Aids Board (HEAB) administers various student financial aid programs for state residents attending institutions of higher education, including Wisconsin higher education grants, talent incentive grants, tuition grants, handicapped student grants, Indian student assistance grants, minority undergraduate retention grants, teacher education loans, minority teacher loans, health education loans, nursing student loans, and academic excellence scholarships. HEAB also administers contracts with the Medical College of Wisconsin and the Marquette University Dental School under which a per capita amount is paid to those institutions for each state resident enrolled at those institutions and a tuition reciprocity agreement with the state of Minnesota. Current law requires HEAB to promulgate rules to administer certain financial aid programs. This bill, effective on July 1, 2004, eliminates HEAB and the executive secretary and deputy executive secretary positions in HEAB and transfers the duties of HEAB to the Board of Regents of the UW System. The bill also permits the Board of Regents of the UW System to establish policies, rather than promulgate rules, to administer the financial aid programs for which rules are required under current law.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 13.40 (3) (i) 1. of the statutes is repealed.

2           **SECTION 2.** 14.63 (11m) of the statutes is amended to read:

3           **14.63 (11m) FINANCIAL AID CALCULATIONS.** The value of tuition units shall not  
4 be included in the calculation of a beneficiary's eligibility for state financial aid for  
5 higher education if the beneficiary notifies the ~~higher educational aids board~~ and the  
6 institution of higher education that the beneficiary is planning to attend that he or  
7 she is a beneficiary of a contract under this section and the contract owner agrees to  
8 release to the ~~higher educational aids board~~ and the institution of higher education  
9 information necessary for the calculation under this subsection.

10          **SECTION 3.** 14.64 (8) of the statutes is amended to read:

11          **14.64 (8) FINANCIAL AID CALCULATIONS.** The balance of a college savings account  
12 shall not be included in the calculation of a beneficiary's eligibility for state financial  
13 aid for higher education if the beneficiary notifies the ~~higher educational aids board~~  
14 Board of Regents of the University of Wisconsin System and the eligible educational  
15 institution that the beneficiary is planning to attend that he or she is a beneficiary  
16 of a college savings account and if the account owner agrees to release to the ~~higher~~  
17 ~~educational aids board~~ Board of Regents of the University of Wisconsin System and  
18 the eligible educational institution information necessary for the calculation under  
19 this subsection.

20          **SECTION 4.** 15.07 (1) (a) 1. of the statutes is repealed.

21          **SECTION 5.** 15.67 of the statutes is repealed.

1           **SECTION 6.** 20.235 (intro.) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

2           **SECTION 7.** 20.235 (1) (title) of the statutes is renumbered 20.285 (7) (title) and  
3 amended to read:

4           20.285 (7) (title) ~~STUDENT SUPPORT ACTIVITIES~~ HIGHER EDUCATIONAL AIDS.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5           **SECTION 8.** 20.235 (1) (b) of the statutes is renumbered 20.285 (7) (b).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6           **SECTION 9.** 20.235 (1) (cg) of the statutes is renumbered 20.285 (7) (cg).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7           **SECTION 10.** 20.235 (1) (cm) of the statutes is renumbered 20.285 (7) (cm).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8           **SECTION 11.** 20.235 (1) (cr) of the statutes is renumbered 20.285 (7) (cr).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9           **SECTION 12.** 20.235 (1) (cu) of the statutes is renumbered 20.285 (7) (cu).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10          **SECTION 13.** 20.235 (1) (cx) of the statutes is renumbered 20.285 (7) (cx).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11          **SECTION 14.** 20.235 (1) (d) of the statutes, as affected by 2003 Wisconsin Act ....  
12 (this act), is renumbered 20.285 (7) (d).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

      \*\*\*\*NOTE: This is reconciled s. 20.235 (1) (d). This SECTION has been affected by drafts with the following LRB numbers: LRB-1676/1 and LRB-1711/4.

13          **SECTION 15.** 20.235 (1) (e) of the statutes is renumbered 20.285 (7) (e).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1       **SECTION 16.** 20.235 (1) (fc) of the statutes is renumbered 20.285 (7) (fc).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2       **SECTION 17.** 20.235 (1) (fd) of the statutes is renumbered 20.285 (7) (fd).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3       **SECTION 18.** 20.235 (1) (fe) of the statutes, as affected by 2001 Wisconsin Act  
4 109, is renumbered 20.285 (7) (fe).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5       **SECTION 19.** 20.235 (1) (ff) of the statutes is renumbered 20.285 (7) (ff).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6       **SECTION 20.** 20.235 (1) (fg) of the statutes is renumbered 20.285 (7) (fg).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7       **SECTION 21.** 20.235 (1) (fj) of the statutes is renumbered 20.285 (7) (fj).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8       **SECTION 22.** 20.235 (1) (fy) of the statutes is renumbered 20.285 (7) (fy).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9       **SECTION 23.** 20.235 (1) (g) of the statutes is renumbered 20.285 (7) (g) and  
10 amended to read:

11           20.285 (7) (g) *Student loans.* The amounts in the schedule for additional loans  
12 under s. 39.32, for repurchase of loans assigned, sold, or conveyed, and for repayment  
13 of advances by the investment board. All moneys received from the principal repaid  
14 on student loans made under s. 49.42, 1963 stats., and s. 39.32 other than principal  
15 repaid on loans assigned, sold, or conveyed, and all moneys received as an advance  
16 from the investment board, under s. 25.17 (3) (bf), 1977 stats., shall be credited to this

1 appropriation. Moneys credited to the ~~higher educational aids board~~ Board of  
2 Regents of the University of Wisconsin System as a result of investments shall be  
3 considered under this appropriation as repayments. The amount of advances to the  
4 ~~higher educational aids board~~ Board of Regents of the University of Wisconsin  
5 System charged against the authorization under s. 25.17 (3) (bf), 1977 stats., shall  
6 be decreased by the amount of any repayments to the investment board under this  
7 appropriation. Advances repaid to the investment board shall be reappropriated to  
8 the ~~higher educational aids board~~ Board of Regents of the University of Wisconsin  
9 System for the purpose of providing additional loans subject to s. 25.17 (3) (bf) 2.,  
10 1977 stats. Principal repayments on loans assigned, sold, or conveyed shall be repaid  
11 under this appropriation. The state auditor may annually audit the portfolio of  
12 student loans and notes thereon in the possession of the ~~higher educational aids~~  
13 ~~board~~ Board of Regents of the University of Wisconsin System and report his or her  
14 determination of the current condition of the student notes receivable portfolio to the  
15 investment board, the joint committee on finance, the ~~higher educational aids board~~  
16 Board of Regents of the University of Wisconsin System, and the department of  
17 administration.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18 **SECTION 24.** 20.235 (1) (gg) of the statutes is renumbered 20.285 (7) (gg).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

19 **SECTION 25.** 20.235 (1) (gm) of the statutes is renumbered 20.285 (7) (gm).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

20 **SECTION 26.** 20.235 (1) (i) of the statutes is renumbered 20.285 (7) (i).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1           **SECTION 27.** 20.235 (1) (k) of the statutes is renumbered 20.285 (7) (k).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2           **SECTION 28.** 20.235 (1) (ke) of the statutes, as created by 2003 Wisconsin Act  
3 .... (this act), is renumbered 20.285 (7) (ke).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

      \*\*\*\*NOTE: This is reconciled s. 20.235 (1) (ke). This SECTION has been affected by drafts with the following LRB numbers: LRB-1735/5 and LRB-1711/4.

4           **SECTION 29.** 20.235 (1) (km) of the statutes is renumbered 20.285 (7) (km).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5           **SECTION 30.** 20.235 (1) (no) of the statutes is renumbered 20.285 (7) (no).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6           **SECTION 31.** 20.235 (1) (s) of the statutes is renumbered 20.285 (7) (s).

7           **SECTION 32.** 20.235 (1) (t) of the statutes is renumbered 20.285 (7) (t).

8           **SECTION 33.** 20.235 (2) (title) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9           **SECTION 34.** 20.235 (2) (aa) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10          **SECTION 35.** 20.235 (2) (bb) of the statutes is renumbered 20.285 (3) (bb) and  
11 amended to read:

12           20.285 (3) (bb) *Student loan interest, loans sold or conveyed.* A sum sufficient  
13 for interest on loans assigned, sold, or conveyed, if the amount under par. ~~(gb)~~ (ib) is  
14 insufficient to provide interest due on the payment date at the interest rate stated  
15 on the loan notes assigned, sold, or conveyed, interest to be computed on the unpaid  
16 principal balance of the loans, computed as of January 1 and July 1 of each year and  
17 payable within 90 days thereafter.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1           **SECTION 36.** 20.235 (2) (bc) of the statutes is renumbered 20.285 (3) (bc).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2           **SECTION 37.** 20.235 (2) (bd) of the statutes is renumbered 20.285 (3) (bd) and  
3 amended to read:

4           20.285 (3) (bd) *Purchase of defective student loans.* A sum sufficient for the  
5 repurchase of student loans made under s. 39.32 that have been sold by the higher  
6 educational aids board Board of Regents of the University of Wisconsin System or the  
7 building commission and subsequently found to be defective.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8           **SECTION 38.** 20.235 (2) (ga) of the statutes is renumbered 20.285 (3) (i).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9           **SECTION 39.** 20.235 (2) (gb) of the statutes is renumbered 20.285 (3) (ib).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10          **SECTION 40.** 20.235 (2) (ia) of the statutes is renumbered 20.285 (3) (ic).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11          **SECTION 41.** 20.235 (2) (ja) of the statutes is renumbered 20.285 (3) (id).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12          **SECTION 42.** 20.235 (2) (n) of the statutes is renumbered 20.285 (3) (nn) and  
13 amended to read:

14          20.285 (3) (nn) *Federal aid; state operations.* All moneys received from the  
15 federal government as authorized by the governor under s. 16.54 to carry out the  
16 purpose for which made. ~~The executive secretary of the board~~ Board of Regents of

1 the University of Wisconsin System may transfer not more than \$150,000 from this  
2 appropriation for purposes of carrying out the functions under s. 39.33.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 43.** 20.235 (2) (qa) of the statutes is renumbered 20.285 (3) (qa).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 44.** 20.235 (2) (qb) of the statutes is renumbered 20.285 (3) (qb).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 45.** 20.285 (1) (h) of the statutes, as affected by 2003 Wisconsin Act  
6 ... (this act), is amended to read:

7 20.285 (1) (h) *Auxiliary enterprises.* Except as provided under subs. (4) (g) and  
8 (gm), (5) (i), and (6) (g), all moneys received by the University of Wisconsin System  
9 for or on account of any housing facility, commons, dining halls, cafeteria, student  
10 union, athletic activities, stationery stand or bookstore, parking facilities or car fleet,  
11 or such other auxiliary enterprise activities as the board designates and including  
12 such fee revenues as allocated by the board and including such moneys received  
13 under leases entered into previously with nonprofit building corporations as the  
14 board designates to be receipts under this paragraph, to be used for the operation,  
15 maintenance, and capital expenditures of activities specified in this paragraph,  
16 including the transfer of funds to pars. (kd), (ke), and ~~s. 20.235 (1) sub. (7) (ke)~~, and  
17 to nonprofit building corporations to be used by the corporations for the retirement  
18 of existing indebtedness and such other payments as may be required under existing  
19 loan agreements, and for optional rental payments in addition to the mandatory  
20 rental payments under the leases and subleases in connection with the providing of  
21 facilities for such activities, and for grants under ss. 36.25 (14) and 36.34. A separate

1 account shall be maintained for each campus and extension. Upon the request of the  
2 extension or any campus within the system, the board of regents may transfer  
3 surplus moneys appropriated under this paragraph to the appropriation account  
4 under par. (kp). Annually, the amount in the schedule under s. 20.005 (3) for the  
5 appropriation under ~~s. 20.235 (1) sub. (7)~~ (ke) shall be transferred from this  
6 appropriation to the appropriation account under ~~s. 20.235 (1) sub. (7)~~ (ke).

7 **SECTION 46.** 20.505 (8) (hm) 4i. of the statutes is amended to read:

8 20.505 (8) (hm) 4i. The amount transferred to s. ~~20.235 (1)~~ 20.285 (7) (k) shall  
9 be the amount in the schedule under s. ~~20.235 (1)~~ 20.285 (7) (k).

10 **SECTION 47.** 20.505 (8) (hm) 10. of the statutes is amended to read:

11 20.505 (8) (hm) 10. The amount transferred to s. ~~20.235 (1)~~ 20.285 (7) (km) shall  
12 be the amount in the schedule under s. ~~20.235 (1)~~ 20.285 (7) (km).

13 **SECTION 48.** 20.923 (4) (c) 4. of the statutes is repealed.

14 **SECTION 49.** 36.11 (6) (c) of the statutes is amended to read:

15 36.11 (6) (c) ~~By April 10, 1998, and annually thereafter~~ Annually, by April 10,  
16 the board shall develop ~~and submit to the higher educational aids board for its review~~  
17 ~~under s. 39.285 (1)~~ a proposed formula for the awarding of grants under s. 39.435,  
18 except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year  
19 to students enrolled in the system.

20 **SECTION 50.** 36.31 (3) of the statutes is repealed.

21 **SECTION 51.** 38.04 (7m) of the statutes is amended to read:

22 38.04 (7m) FINANCIAL AIDS. ~~By April 10, 1998, and annually thereafter~~  
23 Annually, by April 10, the board shall develop and submit to the ~~higher educational~~  
24 ~~aids board~~ Board of Regents of the University of Wisconsin System for its review  
25 under s. 39.285 (1) a proposed formula for the awarding of grants under s. 39.435,

1 except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year  
2 to students enrolled in the technical colleges.

3 **SECTION 52.** 39.155 (1) of the statutes, as affected by 2003 Wisconsin Act ...  
4 (this act), is amended to read:

5 39.155 (1) All funds appropriated to the Medical College of Wisconsin, Inc.,  
6 under s. 20.250 (1) (a) shall be based on a per capita formula for an amount for each  
7 Wisconsin resident enrolled at the college who is paying full tuition. A student's  
8 qualification as a resident of this state shall be determined by the ~~higher educational~~  
9 ~~aids board~~ Board of Regents of the University of Wisconsin System in accordance  
10 with s. 36.27, so far as applicable.

\*\*\*\*NOTE: This is reconciled s. 39.155 (1). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-1263/1 and LRB-1711/4.

11 **SECTION 53.** 39.155 (2) of the statutes, as affected by 2003 Wisconsin Act ...  
12 (this act), is amended to read:

13 39.155 (2) On or before January 15 and September 15 of each year, the Medical  
14 College of Wisconsin, Inc., shall submit to the ~~higher educational aids board~~ Board  
15 of Regents of the University of Wisconsin System for its approval a list of the  
16 Wisconsin residents enrolled at the college who are paying full tuition. The state  
17 shall make semiannual payments to the Medical College of Wisconsin, Inc., from the  
18 appropriation under s. 20.250 (1) (a), upon approval of the list. No more than 8 such  
19 payments may be made to the Medical College of Wisconsin, Inc., from the  
20 appropriation under s. 20.250 (1) (a), for any individual student.

\*\*\*\*NOTE: This is reconciled s. 39.155 (2). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-1263/1 and LRB-1711/4.

21 **SECTION 54.** Subchapter III (title) of chapter 39 [precedes 39.26] of the statutes  
22 is amended to read:



1           39.325 (3) The board shall ~~promulgate rules and establish~~ enact policies  
2 establishing standards and methods of determining the amounts of loans, rates of  
3 interest, and other administrative procedures consistent with P.L. 94-484, on July  
4 29, 1979. The rates of interest shall be set as low as possible, but shall remain  
5 sufficient to cover all costs of the program under this section.

6           **SECTION 61.** 39.38 (2) of the statutes is amended to read:

7           39.38 (2) Grants under this section shall be based on financial need, as  
8 determined by the board. The maximum grant shall not exceed \$2,200 per year, of  
9 which not more than \$1,100 may be from the appropriation under s. ~~20.235 (1)~~ 20.285  
10 (7) (k). State aid from this appropriation may be matched by a contribution from a  
11 federally recognized American Indian tribe or band that is deposited in the general  
12 fund and credited to the appropriation account under s. ~~20.235 (1)~~ 20.285 (7) (gm).  
13 Grants shall be awarded to students for full-time or part-time attendance at any  
14 accredited institution of higher education in this state. The board may not make a  
15 grant under this section to a student whose name appears on the statewide support  
16 lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment  
17 agreement that has been approved by the county child support agency under s. 59.53  
18 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall  
19 be renewable for up to 5 years if a recipient remains in good academic standing at  
20 the institution that he or she is attending.

21           **SECTION 62.** 39.39 (2) (a) of the statutes is amended to read:

22           39.39 (2) (a) Make stipend loans from the appropriations under s. ~~20.235 (1)~~  
23 20.285 (7) (cg) and (gg).

24           **SECTION 63.** 39.39 (2) (b) of the statutes is amended to read:

1           39.39 (2) (b) ~~Promulgate rules~~ Establish policies to administer this section,  
2 including ~~rules~~ policies establishing loan amounts and the criteria and procedures  
3 for loan forgiveness and for selecting loan recipients. Loan recipients shall be  
4 selected on the basis of financial need, as determined by the board, using the needs  
5 analysis methodology used under s. 39.435.

6           **SECTION 64.** 39.393 (2) of the statutes is amended to read:

7           39.393 (2) ~~Beginning in the 2002-03 fiscal year, the~~ The board shall make loans  
8 under this section from the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cm). The  
9 maximum amount of loan for a person during any fiscal year is \$3,000. The  
10 maximum that a person may receive under this section is \$15,000. The board shall  
11 ensure that the terms of the loan do not require a loan recipient to repay the loan  
12 while the recipient is enrolled in a program under sub. (1).

13           **SECTION 65.** 39.393 (4) of the statutes is amended to read:

14           39.393 (4) The board shall ~~promulgate rules~~ establish policies to implement  
15 and administer this section.

16           **SECTION 66.** 39.395 (1) of the statutes is amended to read:

17           39.395 (1) The board shall establish a loan program to defray the cost of tuition  
18 for persons enrolled in a teacher education program offered by the Milwaukee  
19 Teacher Education Center, a nonstock, nonprofit corporation organized under ch.  
20 181. Loans shall be made from the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cu).

21           **SECTION 67.** 39.395 (2) (b) of the statutes is amended to read:

22           39.395 (2) (b) The board shall ~~promulgate rules~~ establish policies to administer  
23 this section.

24           **SECTION 68.** 39.398 (1) (a) of the statutes is amended to read:

1           39.398 (1) (a) The board shall establish a loan program to defray the cost of  
2 tuition, fees, and expenses for residents of this state enrolled in a program that  
3 prepares persons to be licensed as teachers of visually impaired pupils or as  
4 orientation and mobility instructors, as defined by the board ~~by rule~~, at an accredited  
5 institution of higher education in this state or in a physically adjacent state, as  
6 defined in s. 175.46 (1) (d). To the extent possible, the board shall give preference,  
7 to persons who are likely to return to this state to work with visually impaired  
8 persons.

9           **SECTION 69.** 39.398 (1) (b) of the statutes is amended to read:

10           39.398 (1) (b) The board shall make loans under this section from the  
11 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cx). The maximum amount of a loan for  
12 a person during any fiscal year is \$10,000. The maximum amount that a person may  
13 receive under this section is \$40,000. The terms of the loan shall provide that a loan  
14 recipient is not required to repay the loan while the loan recipient is enrolled in the  
15 preparatory program described in par. (a).

16           **SECTION 70.** 39.398 (2) (b) of the statutes is amended to read:

17           39.398 (2) (b) The board shall ~~promulgate rules~~ establish policies to administer  
18 this section.

19           **SECTION 71.** 39.40 (3) of the statutes is amended to read:

20           39.40 (3) Loans under sub. (2) shall be made from the appropriation under s.  
21 ~~20.235 (1)~~ 20.285 (7) (cr). The board shall forgive 25% of the loan and 25% of the  
22 interest on the loan for each school year the recipient teaches in a school district  
23 described under sub. (2) (d).

24           **SECTION 72.** 39.41 (1) (ae) of the statutes is repealed.

25           **SECTION 73.** 39.41 (1m) (b) of the statutes is amended to read:

1           39.41 (1m) (b) By February 15 of each school year, the school board of each  
2 school district operating one or more high schools and the governing body of each  
3 private high school may, for each high school with an enrollment of less than 80  
4 pupils, nominate the senior with the highest grade point average in all subjects who  
5 may be designated as a scholar by the ~~executive-secretary~~ board under par. (c) 3.

6           **SECTION 74.** 39.41 (1m) (c) (intro.) of the statutes is amended to read:

7           39.41 (1m) (c) (intro.) The ~~executive-secretary~~ board shall:

8           **SECTION 75.** 39.41 (1m) (c) 5. of the statutes is amended to read:

9           39.41 (1m) (c) 5. For each public or private high school with an enrollment of  
10 less than 80 pupils, notify the school board of the school district operating the public  
11 high school or the governing body of the private high school that the school board or  
12 governing body may nominate a senior under par. (b) who may be designated as a  
13 scholar by the ~~executive-secretary~~ board.

14           **SECTION 76.** 39.41 (1m) (cm) of the statutes is amended to read:

15           39.41 (1m) (cm) The ~~executive-secretary~~ board may grant waivers under par.  
16 (m).

17           **SECTION 77.** 39.41 (1m) (e) of the statutes is amended to read:

18           39.41 (1m) (e) Except as provided under par. (em), if 2 or more seniors from the  
19 same high school of less than 80 pupils have the same grade point average and,  
20 except for the limitation of one nominated senior, are otherwise eligible for  
21 nomination under par. (b), the faculty of the high school shall select the senior who  
22 may be nominated by the school board of the school district operating the public high  
23 school or the governing body of the private high school for designation under par. (b)  
24 as a scholar by the ~~executive-secretary~~ board. If that senior is designated as a scholar  
25 by the ~~executive-secretary~~ board and does not qualify for a higher education

1 scholarship under sub. (2) (a) or (3) (a), faculty of the high school shall select one or  
2 more of the remaining seniors with the same grade point average for certification as  
3 a scholar and the school board of the school district operating the high school or the  
4 governing body of the private high school shall certify to the board one or more of  
5 these seniors as eligible for a higher education scholarship as a scholar under sub.  
6 (2) (a) or (3) (a) until the scholarship may be awarded by the board.

7 **SECTION 78.** 39.41 (1m) (em) of the statutes is amended to read:

8 39.41 (1m) (em) If the high school weights different courses differently to  
9 determine a pupil's grade point average, and the senior designated as a scholar by  
10 the ~~executive secretary~~ board under par. (e) does not qualify for a higher education  
11 scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one  
12 senior with the same grade point average for certification as a scholar, or, if there is  
13 no senior with the same grade point average, one senior with the next highest grade  
14 point average for certification as a scholar, and the school board of the school district  
15 operating the high school or the governing body of the private high school shall  
16 certify to the board the selected senior as eligible for a higher education scholarship  
17 as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the  
18 board.

19 **SECTION 79.** 39.41 (1m) (f) of the statutes is amended to read:

20 39.41 (1m) (f) If 2 or more seniors from the school operated by the Wisconsin  
21 Center for the Blind and Visually Impaired have the same grade point average and,  
22 except for the limitation of one designated senior, are otherwise eligible for  
23 designation under par. (c) 1., the ~~executive secretary~~ board shall make the  
24 designation under par. (c) 1. of the senior who may be eligible for a higher education  
25 scholarship as a scholar and, if that senior does not qualify for a higher education

1 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining  
2 seniors with the same grade point average as eligible for a higher education  
3 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be  
4 awarded by the board.

5 **SECTION 80.** 39.41 (1m) (fm) of the statutes is amended to read:

6 39.41 (1m) (fm) If 2 or more seniors from the school operated by the Wisconsin  
7 Educational Services Program for the Deaf and Hard of Hearing have the same grade  
8 point average and, except for the limitation of one designated senior, are otherwise  
9 eligible for designation under par. (c) 2., the ~~executive secretary~~ board shall make the  
10 designation under par. (c) 2. of the senior who may be eligible for a higher education  
11 scholarship as a scholar and, if that senior does not qualify for a higher education  
12 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining  
13 seniors with the same grade point average as eligible for a higher education  
14 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be  
15 awarded by the board.

16 **SECTION 81.** 39.41 (1m) (m) of the statutes is amended to read:

17 39.41 (1m) (m) Notwithstanding pars. (a), (b) and (d), if a high school ranks its  
18 seniors on the basis of grades in academic subjects, the school board of the school  
19 district operating the high school or the governing body of the private high school or,  
20 for purposes of par. (d), the faculty of the high school may request a waiver from the  
21 ~~executive secretary~~ board in order to fulfill its the requirements under par. (a), (b)  
22 or (d) on the basis of grade point averages in academic subjects.

23 **SECTION 82.** 39.41 (4) (b) of the statutes is amended to read:

24 39.41 (4) (b) The board shall make the payments under subs. (2) (c) and (3) from  
25 the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fy).

1           **SECTION 83.** 39.41 (8) of the statutes is amended to read:

2           39.41 (8) The ~~executive-secretary board~~ shall ~~promulgate rules enact policies~~  
3 establishing criteria for the designation of scholars under sub. (1m) (c) 3.

4           **SECTION 84.** 39.435 (2) of the statutes is amended to read:

5           39.435 (2) The board shall award talent incentive grants to uniquely needy  
6 students enrolled at least half-time as first-time freshmen at public and private  
7 nonprofit institutions located in this state and to sophomores, juniors, and seniors  
8 who received such grants as freshmen. No grant under this subsection may exceed  
9 \$1,800 for any academic year. The board may not award a grant to the same student  
10 for more than 10 consecutive semesters or their equivalent. The board shall  
11 ~~promulgate rules enact policies~~ establishing eligibility criteria for grants under this  
12 subsection.

13           **SECTION 85.** 39.435 (3) of the statutes, as affected by 2003 Wisconsin Act ....  
14 (this act), is amended to read:

15           39.435 (3) Grants under sub. (1) shall not be less than \$250 during any one  
16 academic year, unless the joint committee on finance approves an adjustment in the  
17 amount of the minimum grant. The board shall, ~~by rule, establish~~ enact policies  
18 establishing a reporting system to periodically provide student economic data and  
19 shall ~~promulgate other rules enact other policies that~~ the board ~~deems considers~~  
20 necessary to assure uniform administration of the program.

      \*\*\*NOTE: This is reconciled s. 39.435 (3). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-1735/5 and LRB-1711/4.

21           **SECTION 86.** 39.435 (7) (a) 1. of the statutes is amended to read:

22           39.435 (7) (a) 1. For purposes of determining the appropriation under s. ~~20.235~~  
23 ~~(1) 20.285 (7) (fe)~~ for fiscal year 2003–04, “base amount” means the amount shown

1 in the schedule under s. 20.005 for ~~that~~ the appropriation under s. 20.235 (1) (fe),  
2 2001 stats., for fiscal year 2002–03.

3 **SECTION 87.** 39.435 (7) (a) 2. of the statutes is amended to read:

4 39.435 (7) (a) 2. For purposes of determining the appropriation under s. ~~20.235~~  
5 (1) 20.285 (7) (fe) for each fiscal year after fiscal year 2003–04, “base amount” means  
6 the maximum appropriation amount determined under par. (b) for the previous fiscal  
7 year.

8 **SECTION 88.** 39.435 (7) (b) (intro.) of the statutes is amended to read:

9 39.435 (7) (b) (intro.) Annually, by February 1, the board shall determine the  
10 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fe) for the next fiscal year as follows:

11 **SECTION 89.** 39.435 (8) of the statutes, as created by 2003 Wisconsin Act .... (this  
12 act), is amended to read:

13 39.435 (8) The board shall award grants under this section to University of  
14 Wisconsin System students from the appropriations under s. ~~20.235 (1)~~ 20.285 (7) (fe)  
15 and (ke).

\*\*\*\*NOTE: This is reconciled s. 39.435 (8). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-1735/5 and LRB-1711/4.

16 **SECTION 90.** 39.44 (2) of the statutes is amended to read:

17 39.44 (2) Funds for the grants under this section shall be distributed from the  
18 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fg), with 50% distributed to the eligible  
19 private institutions and 50% distributed to the eligible technical colleges. The board  
20 shall audit the enrollment statistics annually.

21 **SECTION 91.** 39.45 (6) of the statutes is amended to read:

22 39.45 (6) From the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fc), the board  
23 shall use available funds to make grant awards under this section, but no award may

1 be made before March 1 for the fall semester or session of the upcoming academic  
2 year.

3 **SECTION 92.** 39.45 (7) of the statutes is amended to read:

4 39.45 (7) The board shall ~~promulgate rules~~ establish policies to administer this  
5 section, including policies establishing criteria and procedures for repayment of  
6 grants awarded under this section, including interest, by certain grant recipients  
7 who no longer reside in this state or do not successfully complete requirements for  
8 a degree. The board shall deposit in the general fund as general purpose  
9 revenue—earned all repayments of grants awarded under this section and the  
10 interest on the grants.

11 **SECTION 93.** 227.01 (13) (zv) of the statutes is created to read:

12 227.01 (13) (zv) Establishes policies under subch. III of ch. 39.

13 **SECTION 94.** 230.08 (2) (L) 4. of the statutes is repealed.

14 **SECTION 9101. Nonstatutory provisions; administration.**

15 (1) HIGHER EDUCATIONAL AIDS. The authorized FTE positions for the department  
16 of administration, funded from the appropriation under section 20.505 (1) (a) of the  
17 statutes, are increased by 2.0 GPR positions on the effective date of this subsection  
18 for the purpose of assisting the Board of Regents of the University of Wisconsin  
19 System in administering higher educational aids under subchapter III of chapter 39  
20 of the statutes, as affected by this act.

21 **SECTION 9125. Nonstatutory provisions; higher educational aids board.**

22 (1) TRANSFER OF DUTIES TO BOARD OF REGENTS.

23 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
24 liabilities of the higher educational aids board shall become the assets and liabilities  
25 of the Board of Regents of the University of Wisconsin System.

1           (b) *Positions and employees.*

2           1. The authorized FTE positions for the higher educational aids board, funded  
3 from the appropriation under section 20.235 (2) (aa), 2001 stats., are decreased by  
4 2.0 GPR positions on the effective date of this subdivision for the purpose of  
5 eliminating that board.

6           2. The authorized FTE positions for the higher educational aids board, funded  
7 from the appropriation under section 20.235 (2) (aa), 2001 stats., are decreased by  
8 1.36 GPR positions on the effective date of this subdivision for the purpose of  
9 eliminating that board.

10          3. The authorized FTE positions for the higher educational aids board, funded  
11 from the appropriation under section 20.235 (2) (qb), 2001 stats., are decreased by  
12 0.64 SEG position on the effective date of this subdivision for the purpose of  
13 eliminating that board.

14          4. On the effective date of this subdivision, all incumbent employees holding  
15 the positions specified in subdivision 1. are transferred to the department of  
16 administration.

17          5. On the effective date of this subdivision, all incumbent employees holding  
18 the positions specified in subdivisions 2. and 3. are transferred to the Board of  
19 Regents of the University of Wisconsin System.

20          (c) *Employee status.* Employees transferred under paragraph (b) 4. and 5. have  
21 all the rights and the same status under subchapter V of chapter 111 and chapter 230  
22 of the statutes in the department of administration and the Board of Regents of the  
23 University of Wisconsin System that they enjoyed in the higher educational aids  
24 board immediately before the transfer. Notwithstanding section 230.28 (4) of the

1 statutes, no transferred employee who has attained permanent status in class is  
2 required to serve a probationary period.

3 (d) *Tangible personal property.* On the effective date of this paragraph, all  
4 tangible personal property, including records, of the higher educational aids board  
5 is transferred to the Board of Regents of the University of Wisconsin System.

6 (e) *Contracts.* All contracts entered into by the higher educational aids board  
7 in effect on the effective date of this paragraph remain in effect and are transferred  
8 to the Board of Regents of the University of Wisconsin System. The Board of Regents  
9 of the University of Wisconsin System shall carry out any such contractual  
10 obligations until modified or rescinded by that board to the extent allowed under the  
11 contract.

12 (f) *Rules and orders.* All rules promulgated by the higher educational aids  
13 board that are in effect on the effective date of this paragraph remain in effect until  
14 their specified expiration date or until amended or repealed by the Board of Regents  
15 of the University of Wisconsin System. All orders issued by the higher educational  
16 aids board that are in effect on the effective date of this paragraph remain in effect  
17 until their specified expiration date or until modified or rescinded by the Board of  
18 Regents of the University of Wisconsin System.

19 (g) *Pending matters.* Any matter pending with the higher educational aids  
20 board on the effective date of this paragraph is transferred to the Board of Regents  
21 of the University of Wisconsin System and all materials submitted to or actions taken  
22 by the higher educational aids board with respect to the pending matter are  
23 considered as having been submitted to or taken by the Board of Regents of the  
24 University of Wisconsin System.

1           **SECTION 9157. Nonstatutory provisions; University of Wisconsin**  
2           **System.**

3           (1) HIGHER EDUCATIONAL AIDS.

4           (a) The authorized FTE positions for the Board of Regents of the University of  
5           Wisconsin System, funded from the appropriation under section 20.285 (3) (a) of the  
6           statutes, are increased by 1.36 GPR positions on the effective date of this paragraph  
7           for the purpose of administering higher educational aids under subchapter III of  
8           chapter 39 of the statutes, as affected by this act.

9           (b) The authorized FTE positions for the Board of Regents of the University of  
10          Wisconsin System, funded from the appropriation under the section 20.285 (3) (qb)  
11          of the statutes, as affected by this act, are increased by 0.64 SEG position on the  
12          effective date of this paragraph for the purpose of administering higher educational  
13          aids under subchapter III of chapter 39 of the statutes, as affected by this act.

14          **SECTION 9225. Appropriation changes; higher educational aids board.**

15          (1) TRANSFER OF DUTIES TO BOARD OF REGENTS. On the effective date of this  
16          subsection, the unencumbered balance in the appropriation account under section  
17          20.235 (2) (aa), 2001 stats., is transferred to the appropriation account under section  
18          20.285 (3) (a) of the statutes.

19          **SECTION 9425. Effective dates; higher educational aids board.**

20          (1) TRANSFER OF DUTIES TO BOARD OF REGENTS. The treatment of sections 13.40  
21          (3) (i) 1., 14.63 (11m), 14.64 (8), 15.07 (1) (a) 1., 15.67, 20.235 (intro.), (1) (title), (b),  
22          (cg), (cm), (cr), (cu), (cx), (e), (fc), (fd), (fe), (ff), (fg), (fj), (fy), (g), (gg), (gm), (i), (k), (km),  
23          (no), (s), and (t), and (2) (title), (aa), (bb), (bc), (bd), (ga), (gb), (ia), (ja), (n), (qa), and  
24          (qb), 20.285 (1) (h) (by SECTION (45)), 20.505 (8) (hm) 4i. and 10., 20.923 (4) (c) 4., 36.11  
25          (6) (c), 36.31 (3), 38.04 (7m), 39.155 (1) (by SECTION (52)) and (2) (by SECTION (53)),

1 39.26, 39.28 (1), 39.285 (1), 39.29, 39.30 (3m) (b), 39.325 (3), 39.38 (2), 39.39 (2) (a)  
2 and (b), 39.393 (2) and (4), 39.395 (1) and (2) (b), 39.398 (1) (a) and (b) and (2) (b), 39.40  
3 (3), 39.41 (1) (ae), (1m) (b), (c) (intro.) and 5., (cm), (e), (em), (f), (fm), and (m), (4) (b),  
4 and (8), 39.435 (2), (3) (by SECTION (85)), (7) (a) 1. and 2. and (b) (intro.), 39.44 (2),  
5 39.45 (6) and (7), 227.01 (13) (zv), and 230.08 (2) (L) 4. and subchapter III (title) of  
6 chapter 39 of the statutes, the renumbering of section 20.235 (1) (d) and (ke) of the  
7 statutes, the amendment of section 39.435 (8) of the statutes, and SECTIONS 9101 (1),  
8 9125 (1), 9157 (1), and 9225 (1) of this act take effect on July 1, 2004, or on the day  
9 after publication, whichever is later.

10 (END)